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CERTIFIED TRUE COPY

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

IN THE MATTER OF :
: Administrative Action
RICARDO ARDUENGO, D.M.D. :
License No. 13891 :
: CONSENT ORDER
LICENSED TO PRACTICE DENTISTRY:
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Dentistry ("Board") upon receipt of information from the National Practitioner Date Bank regarding a malpractice payment by Ricardo Arduengo, D.M.D., ("respondent") to patient P.C. for an inadequate root canal. On April 19, 2000, respondent appeared without counsel at an investigative inquiry into the matter held by the Board.

Having reviewed the entire record, including patient records from both respondent and a subsequent treating dentist and testimony of respondent at the investigative inquiry, it appears to the Board that respondent failed to maintain an accurate and complete patient record. Specifically, the use of local anesthetic was not noted in the patient chart, post-operative x-rays and

measurement x-rays taken prior to filling the canals were not maintained, gutta-percha measurements for the canals of tooth #30 were not recorded, and the fact that the post-operative x-ray revealed an overfilled canal was not noted in the patient chart. These record-keeping errors are of the most serious nature in that they could have compromised respondent's or a subsequent treating dentist's ability to appropriately treat this patient. This conduct constitutes violations of N.J.A.C. 13:30-8.7 and forms the basis for discipline pursuant to N.J.S.A. 45:1-21(h).

Additionally, after a preliminary review of the record in this matter, the Board also concluded that the dental care rendered to P.C. by respondent failed to meet the standard of care for the practice of dentistry in this State in that the distal canal of tooth #30 was significantly overfilled during the root canal treatment on this tooth.

However, the Board is satisfied that it can conclude this matter at this time in a manner which adequately protects the public because respondent agrees to the following in order to resolve this matter without recourse to further investigation and formal proceedings:

IT IS, THEREFORE, ON THIS 4 DAY OF SEPTEMBER 2000,

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall successfully complete the following continuing education: twenty-one (21) hours of "hands on"

endodontics, including single and molar canals, fourteen (14) hours of didactic endodontics and seven (7) hours of record keeping. These courses shall be completed within six (6) months of the entry of this Consent Order. Further, these courses, which are in addition to the regularly required continuing education hours, shall be approved by the Board in writing prior to attendance. Respondent shall complete the attached continuing education Report and Proof of Attendance and return the form to the Board as proof of successful completion of the required course work. The attached forms are made a part of this Consent Order, and a separate form is to be used for each course.

2. Respondent shall cease and desist from providing endodontic therapy beginning seven (7) days from the entry of this Order until successful completion of the continuing education courses related to endodontics listed in paragraph #1 of this Consent Order.

3. Following completion of the continuing education related to endodontics and upon resumption of endodontic treatment, respondent shall forward to the Board office true copies of the patient record, including diagnostic quality x-rays, for the first twenty endodontic procedures completed. Those records shall be forwarded to the Board office within one week of completion of treatment.

4. Respondent is hereby assessed civil penalties in the amount of \$1,000 for his failure to maintain an adequate patient record. Payment shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Kevin B. Earle, Executive Director, Board of Dentistry, P.O. Box 45005, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101 no later than thirty (30) days from the entry of this Consent Order.

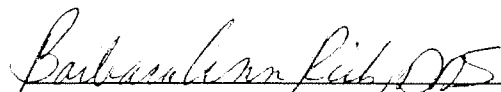
5. Respondent is hereby assessed the costs of the investigation to the State in this matter in the amount of \$88.98. Payment for costs shall be submitted by certified check or money order payable to the State of New Jersey and submitted to the Board no later than twenty-one days from the entry of this Consent Order. Payment shall be sent to Kevin B. Earle at the address above.

6. Failure to remit any payment required by this Order will result in the filing of a certificate of debt.

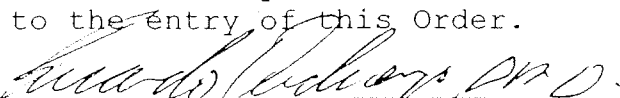
7. Failure to comply with any of the terms of this consent order may result in further disciplinary action.

NEW JERSEY STATE BOARD OF DENTISTRY

By:


Barbara Rich, D.D.S.
Board President

I have read and understand this
Consent Order and agree
to be bound by its terms. I consent
to the entry of this Order.


Ricardo Arduengo, D.M.D.